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BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, DC 20554

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Federal Communications Commission  
Office of Secretary

In the Matter of )

Guidelines for Evaluating the )  
Environmental Effects of )  
Radiofrequency Radiation )

ET Docket No. 93-62

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**COMMENTS  
OF  
PRIMECO PERSONAL COMMUNICATIONS, L.P.**

PrimeCo Personal Communications, L.P. ("PrimeCo"),<sup>1</sup> by its attorneys and pursuant to Section 1.429(f) of the Commission's Rules, hereby submits the following comments in response to the Petitions for Reconsideration of the Commission's *First Memorandum Opinion and Order* ("MO&O")<sup>2</sup> filed in the above-referenced proceeding. For the reasons discussed below, PrimeCo supports those Petitions which request an extension of the deadline for compliance with the new radiofrequency ("RF") emissions rules.

The MO&O extended the transition period for applicants and station licensees to determine compliance with the new requirements for evaluating the environmental effects of RF electromagnetic fields from FCC-regulated transmitters. For most radio services, including PCS, the transition period was extended eight months, from January 1, 1997 to September 1, 1997. According to the Commission, the extension of the transition period was to allow time for

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<sup>1</sup> PrimeCo is a broadband PCS MTA licensee or majority interest-holder in 11 MTA markets, with transmitters located at over 1,000 sites, and has previously participated in this proceeding as an *ex parte* filer. See *Ex Parte* Comments of Arch Communications Group, Inc. and PrimeCo Personal Communications, L.P., filed December 10, 1996.

<sup>2</sup> FCC 96-487, released December 24, 1996.

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applicants and licensees to review the results of future actions to be taken by the Commission with respect to the technical and legal issues raised by petitioners of the original *Report and Order* in this proceeding.<sup>3</sup> The Commission also noted that an extension would allow time for affected parties to review the revised OET Bulletin No. 65, which the Commission said would be released shortly after it addressed the other issues outstanding in the proceeding, and that this, in turn, would allow carriers to make the necessary measurements or calculations to determine their compliance.<sup>4</sup>

In their Petitions for Reconsideration, both Ameritech Mobile Communications, Inc. and Northeast Louisiana Telephone Company, Inc. state that the original extension of time for compliance with the RF standards granted by the *MO&O* may no longer be adequate.<sup>5</sup> Indeed, since the release three months ago of the *MO&O* on December 24, 1996, the Commission has not yet issued a further order addressing the outstanding compliance-related issues, nor has OET Bulletin No. 65 been finalized and released for public review.

As a result of this passage of time, PrimeCo respectfully submits that the same reasons advanced by the Commission at the time of the release of the *MO&O* for extending the compliance deadline continue to be valid. Further clarification by the Commission of outstanding issues and release of the anticipated OET Bulletin No. 65 are essential for understanding and complying with the new RF guidelines. In addition, once the Bulletin is

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<sup>3</sup> *MO&O* at ¶7.

<sup>4</sup> *Id.* at ¶5 n. 10, ¶7.


<sup>5</sup> See Ameritech Mobile Communications, Inc., Petition for Partial Reconsideration in ET Docket No. 93-62, filed January 23, 1997, at 2; Northeast Louisiana Telephone Company, Inc., Petition for Partial Reconsideration in ET Docket No. 93-62, filed January 23, 1997, at 2.

released, PrimeCo and other affected carriers will require additional time to perform on-site measurements and take any necessary actions to ensure compliance.

Thus, for the reasons stated above, PrimeCo supports the Petitions filed by Ameritech Mobile Communications, Inc. and Northeast Louisiana Telephone Company, Inc., and submits that the Commission should further extend the transition period for compliance with the new RF emission rules for a reasonable time after the release dates of a future FCC Order and revised OET Bulletin No. 65.

Respectfully submitted,

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April 2, 1997

## CERTIFICATE OF SERVICE

I, Jo-Ann Grayton, do hereby certify that I have, on this 2nd day of April, 1997, caused to be served by first class U.S. mail, postage prepaid, a copy of the foregoing Comments to the following:

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